

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Andres L. Glenn,

Plaintiff,

vs.

Deberh Porkwine; James Mahamad; and Deron
Chives,

Defendants.

Civil Action No. 1:17-cv-2553-CMC

ORDER

Andres L. Glenn (“Plaintiff”), proceeding *pro se*, filed this action on September 21, 2017, while detained at Correct Care. ECF No. 1. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2), D.S.C., this matter was referred to United States Magistrate Judge Shiva V. Hodges for pre-trial proceedings.

On October 11, 2017, the court ordered Plaintiff to pay the filing fee or complete the enclosed Application to Proceed without Prepayment of Fees and Affidavit (Form AO 240) and to provide the service documents necessary to advance his case. ECF No. 5. Plaintiff was warned that the failure to provide the necessary information within a specific time period may subject the case to dismissal. *Id.* On October 24, 2017, the court received a purported response, forwarded from the Richland County Clerk of Court, which appeared to include only the blank documents originally sent to Plaintiff. ECF No. 7. The court issued a second order on October 25, 2017, instructing Plaintiff not to send materials to another court, and ordering Plaintiff to pay the filing fee or complete the enclosed Form AO 240 and to provide the service documents necessary to advance his case. ECF No. 10. Plaintiff was again warned that the failure to provide the necessary

information within a specific time period may subject the case to dismissal. *Id.* The time for response expired on November 15, 2017, and Plaintiff did not file a response.

On November 21, 2017, the Magistrate Judge filed a Report and Recommendation, recommending the Complaint be dismissed without prejudice for failure to prosecute. ECF No. 13. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff was to file objections by December 8, 2017, but failed to do so. As Plaintiff failed to prosecute his case and to comply with the court's orders, the court dismissed his case without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure on December 13, 2017. ECF No. 16.

On September 24, 2018, Plaintiff filed a one-page document titled as "Summons," noting "I am writing a motion to open all of my case and get case number for each case." ECF No. 19. Plaintiff did not provide any explanation for his failure to comply with the court's previous orders or any other information that would justify reopening of his case.¹ Accordingly, Plaintiff's motion (ECF No. 19) is denied.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
June 19, 2019

¹ Plaintiff cites no authority that would allow reopening the case, and there does not appear to this court any reason to apply Fed. R. Civ. P. 60(b).